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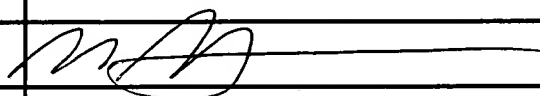
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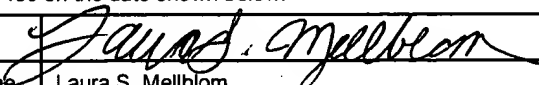
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TRANSMITTAL FORM JAN 21 2005 <i>(To be used for all correspondence after initial filing)</i>	Application Number	09/845,149; Confirmation No. 3114	
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	First Named Inventor	John R. Bugarin	
	Art Unit	3627	
	Examiner Name	Ronald Laneau	
Total Number of Pages in This Submission	21x3	Attorney Docket Number	35010/126

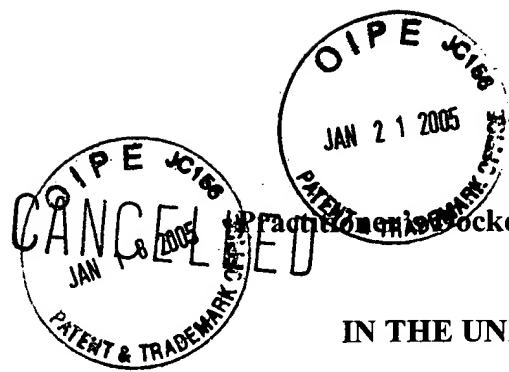
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Practitioner's Pocket No. 35010/126

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: John R. Bugarin
Application Number: 09/845,149
Filed: 4/30/2001
Group Number: 3627
Examiner: Ronald Laneau

For: PRODUCT SELECTION OVER A COMMUNICATION NETWORK

Mailstop Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

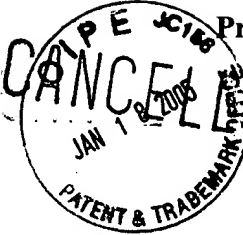
FEE TRANSMITTAL

Applicant hereby encloses a credit card form, PTO-2038, for the filing of the brief in support of an appeal. The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 502622.


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Practitioner's Socket No. 35010/126

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: John R. Bugarin
Application Number: 09/845,149
Filed: 4/30/2001
Group Number: 3627
Examiner: Ronald Laneau

For: PRODUCT SELECTION OVER A COMMUNICATION NETWORK

Mailstop Appeal Brief – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Appeal Brief

Real Party in Interest

Micro Motion Inc. is the real party in interest.

Related Appeals and Interferences

There are no related appeals or interferences.

Status of Claims

Claims 1-39 are the claims on appeal. Claims 1-39 are pending and are under a final rejection.

Status of Amendments

No amendments have been filed subsequent to the final rejection.

01/24/2005 ZJU HAR1 00000036 09845149

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Void date: 01/24/2005 ZJU HAR1
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01/24/2005 ZJU HAR1 00000057 09845149 500.00 OP
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Summary of the Invention

Appellants note that a substitute specification was filed on July 13, 2001, and the page and line numbers given below refer to the substitute specification.

User system 110 communicates with server system 100, and in response, server system selects a product for user system 110. (See the specification page 10, lines 14-25 and Figure 1). The communications between user system 110 and server system 100 include: 1) server system 100 transferring screen signals to user system 110; 2) user system 110 displaying screens responsive to the screen signals; 3) the user entering data into the screens on user system 110; and 4) user system 110 transferring the user data to server system 100. Server system 100 processes the user data to select a product for the user. Note that the screens are arranged in a sequence. An example of a screen is described from page 13, line 24 to page 5, line 6; and Figure 2.

The concept of “consistent” user data is important to understanding the invention. On page 14, lines 13-20, the specification states:

“Consistent user data is data that is consistent with the user data for prior screens relative to at least one product - meaning that a selectable product exists that can accommodate the user data for the current screen and all previous screens. For example, if a large truck motor is selected for the first screen, then a towing package that requires the large motor and that is selected in the fifth screen would be consistent user data. In contrast, if a small truck motor is selected for the first screen, then a towing package that requires the large motor and that is selected in the fifth screen would not be consistent user data.”

Server system 100 controls which screens are displayed to the user based on the screens selected by the user *and based on whether the data entered for previous screens in the sequence have consistent user data*. (See the specification, page 15, line 16 to page 17, line 14; and Figure 3). Server system 100 will not allow the user to move forward in

the sequence unless all previous screens in the sequence have user data that is consistent with at least one product that is available for selection. Thus, server system 100 ensures that the selected product is consistent with all of the user data.

In the following discussion, the distinction between screen signals and screens is ignored for clarity. The process starts by transferring the earliest screen in the sequence that does not have consistent data. This is the first screen if no user data has been entered, but some users may start with some of the screens pre-loaded with user data, and in these cases, the first screen may already be pre-loaded with consistent data, so the second screen would be transferred.

When the user selects another screen for display, the selected screen is provided if it is back in the sequence. If the selected screen is forward in the sequence, then the selected screen is provided only if all user data for the prior screens is consistent with at least one product that is available for selection. If the selected screen is forward in the sequence, but all user data for the screens prior to the selected screen is not consistent with at least one product that is available for selection, then the earliest screen in the sequence that does not have consistent data is transferred.

Consider an example where there is a sequence of five screens, and the user is on screen two. If the user selects screen one, then screen one is provided – screen one has consistent data or the user could not be on screen two. If the user selects screen four, then screen four is provided only if the user data for screens 1-3 is consistent with an available product. However, if the user data for screens one and two is consistent, but the data for screen three is not consistent, then screen three is provided instead of selected screen four. Thus, server system 100 does not allow the user to go to a screen in the sequence that is past another screen that does yet not have consistent data. Server system 100 will allow the user to move ahead to this other screen for entry of consistent data.

Advantageously, server system 100 selects a product for the user based on user-entered data. Server system 100 also ensures that all user-entered data is consistent with at least one product. Thus, server system 100 selects a product for the user that is based on *and that is consistent with* all user-entered data.

Issues

1. Whether claims 1-5, 14-18, and 27-31 are unpatentable under 35 U.S.C. 102(b) over U.S. patent 5,754,712 (Turpin). Appellants note that the final office action incorrectly cites patent number 5,008,810 for this rejection, which is the Kessel patent. Since the rejection refers to the reference as “Turpin” and the Examiner’s remarks clearly correspond to Turpin, Appellants assume that the Kessel patent number was listed in the final office action by error, and that the Turpin patent number listed above (5,754,712) is correct.
2. Whether claims 1, 14, and 27 are unpatentable under 35 U.S.C. 102(b) over U.S. patent 6,064,982 (Puri).
3. Whether claims 6-13, 19-26, and 32-39 are unpatentable under 35 U.S.C. 103(a) over U.S. patent 5,754,712 (Turpin) or U.S. patent 6,064,982 (Puri).
4. Whether claims 1-5, 14-18, and 27-31 are unpatentable under 35 U.S.C. 103(a) over U.S. patent 6,064,982 (Puri) in view of U.S. patent 6,233,609 (Mittal).

Grouping of Claims

With respect to Issue #1, Appellant requests that the rejected claims be grouped as follows:

Group 1: claims 1, 4, 5, 14, 17, 18, 27, 30, and 31;

Group 2: claims 2, 15, and 28; and

Group 3: claims 3, 16, and 29.

With respect to Issue #2, no special grouping of claims is requested.

With respect to Issue #3, no special grouping of claims is requested.

With respect to Issue #4, Appellant requests that the rejected claims be grouped as follows:

Group 1: claims 1, 4, 5, 14, 17, 18, 27, 30, and 31;

Group 2: claims 2, 15, and 28; and

Group 3: claims 3, 16, and 29.

Argument

1. Whether claims 1-5, 14-18, and 27-31 are unpatentable under 35 U.S.C. 102(b) over U.S. patent 5,754,712 (Turpin).

Claim 27 requires “processing user data from the user input signals to determine if the user data is consistent data that is consistent with at least one of a plurality of products.” Turpin does not teach processing user data for *consistency with the products available for selection*. The final Office Action cites the “truth maintenance” feature of Turpin as anticipating the above-cited claim limitation. The truth maintenance feature of Turpin maintains mathematical or logical relationships between data fields. (See Turpin, column 16, lines 8-10). Thus, if two fields have a mathematical relationship, and the user changes the data in one of the fields, then the system automatically updates the other field based on the new data and the mathematical relationship. For example, if an item costs \$2.00, and the user fills in a quantity of 3, then the system automatically fills in the total cost field with \$6.00. If the user changes the quantity to 5, then the system automatically re-fills in the total cost field with \$10.00. Thus, when the user changes a field, the truth maintenance feature automatically updates related fields and databases.

Turpin uses the truth maintenance feature to *propagate* data through the forms based on preset mathematical or logical relationships. (See Turpin, column 16, lines 5-10). Turpin does not suggest using the truth maintenance feature to ensure consistency between user-entered data and at least one of the products available for selection. *In fact, Turpin allows the user to overwrite their own data over data that was accurately entered by the truth maintenance feature.* (See Turpin, column 17, lines 22-30). *Turpin does not indicate what would happen if this user overwrite is inconsistent with all of the products available for selection.* Applicant notes that maintaining mathematical or logical relationships between data fields does not anticipate maintaining consistency between user-entered data and at least one of the products available for selection.

Claim 27 also requires:

“processing user screen selections from the user input signals;
transferring a selected one of the screen signals corresponding to a selected one of the screens if the selected one of the screens is backward in the sequence or if all previous ones of the screens in the sequence prior to the selected one of the screens have the consistent data; and
transferring to the user system over the communication network an earliest one of the screen signals corresponding to an earliest one of the screens in the sequence that does not have the consistent data if the selected one of the screens is forward in the sequence and if the previous ones of the screens in the sequence prior to the selected one of the screens do not all have the consistent data.”

Thus, the invention of claim 27 allows the user to select screens for data entry. If the user-selected screen is back in the sequence, then the selected screen is provided. Advantageously, this allows the user to quickly jump back to a screen to modify a previous data entry. If the user-selected screen is forward in the sequence and if all user-entered data prior to the selected screen is consistent with at least one of the available products, then the screen is provided. Advantageously, this allows the user to quickly jump forward to a screen if data consistency permits. If the user-selected screen is forward in the sequence, and if all user-entered data prior to the selected screen is not consistent with at least one of the available products, then the screen is not provided. Instead the next screen in the sequence with the inconsistent data is provided. Advantageously, this claim limitation *prevents the user from jumping over the inconsistency*. Once the inconsistency is resolved, the user may jump ahead to the next piece of inconsistent data, or if all entered data is consistent, then the user may jump ahead to the selected screen.

Thus, user migration through the screens is controlled by the consistency of the user-entered data with at least one of the available products. In contrast, Turpin uses a “tree” to control migration through the screens. (See Turpin, column 15, lines 13-29). The user may skip data entries in the tree. (See Turpin, column 15, lines 60-65). Thus, Turpin uses a tree structure with a user opt-out. This tree structure with user opt-out does

not anticipate the claimed control over screen migration based on the consistency of the user-entered data with at least one of the available products. *By allowing the user to skip fields, Turpin actually teaches away from the present invention, and falls into the confusing sequence of screens described in the problem section of the present Application.* (See the Application, page 2, line 12 to page 3, line 7).

In both Turpin and the prior art described in the Application, the tab or the next key is used to move through a sequence. ***Turpin never teaches that movement through the sequence is dependent on user data consistency with a product.*** In both the described prior art and Turpin, the user may leave the sequence, but there is no technique for quickly moving the user ahead to the next piece of inconsistent user data. Advantageously, the invention allows the user to go back and change data, and if the user desires to move forward, then the system automatically proceeds to the next point where a data-product inconsistency exists. The user need not repeat the entire automatic sequence from the point where the change is made, as is the case in both Turpin and the described prior art. In Turpin, if the user were to jump way ahead, the system would let them do so, and would skip over product-inconsistent user data. Thus, Turpin has the same problem as the prior art described in the Application.

The same reasoning applies to claims 1, 4, 5, 14, 17, 18, 30, and 31 (the rest of the claims in Group 1).

With respect to Group 2 (claims 2, 15, and 28), these claims require that consistent data for earlier screens in the sequence be provided along with the consistent data for the current screen in the screen signal for the display. Thus, all user-entered data from the current screen and from previous screens is displayed to the user. Turpin does not describe providing user-entered data from multiple forms for a display. The final rejection does not provide any citation to Turpin for this claim limitation.

With respect to Group 3 (claims 3, 16, and 29), these claims require that the indication of user data selections that are inconsistent with the products. Turpin does not indicate such inconsistent data to the user. The section of Turpin cited in the final

rejection for this limitation (columns 14-17, lines 36-30) do not mention indicating user-entered data that is inconsistent with the products.

2. Whether claims 1, 14, and 27 are unpatentable under 35 U.S.C. 102(b) over U.S. patent 6,064,982 (Puri).

Claim 27 requires “processing user data from the user input signals to determine if the user data is consistent data that is consistent with at least one of a plurality of products.” Puri does not teach determining if user-entered data is consistent with at least one of the products available for selection. In fact, Puri *repeatedly* states that it selects a product that “most nearly meets a customer’s needs.” (See Puri; column 1, lines 47-49; column 2, lines 31-32; and column 5, lines 28-30). Clearly, selecting a product that “nearly” meets a customer’s needs means that the selected product is somewhat inconsistent with the user data. Thus, the invention ensures that all customer data is consistent with the selected product, but Puri uses a process that may select products that are somewhat inconsistent with user needs.

Claim 27 also requires:

“processing user screen selections from the user input signals;
transferring a selected one of the screen signals corresponding to a selected one of the screens if the selected one of the screens is backward in the sequence or if all previous ones of the screens in the sequence prior to the selected one of the screens have the consistent data; and
transferring to the user system over the communication network an earliest one of the screen signals corresponding to an earliest one of the screens in the sequence that does not have the consistent data if the selected one of the screens is forward in the sequence and if the previous ones of the screens in the sequence prior to the selected one of the screens do not all have the consistent data.”

Puri allows the user to jump around the screens as they see fit. (See Puri, column 4, lines 48-57). Puri does not teach controlling the forward movement within the screens

based on consistency between the user-entered data and at least one of the products. Puri does not teach providing the next screen in the sequence where the user data is becomes inconsistent with all of the products available for selection.

Puri allows the selection of inconsistent products, and Puri does not teach controlling the user movement through the screens based on the consistency of user-entered data with the available products.

3. Whether claims 6-13, 19-26, and 32-39 are unpatentable under 35 U.S.C. 103(a) over U.S. patent 5,754,712 (Turpin) or U.S. patent 6,064,982 (Puri).

These claims are patentable for the reasons given above for arguments 1 and 2.

4. Whether claims 1-5, 14-18, and 27-31 are unpatentable under 35 U.S.C. 103(a) over U.S. patent 6,064,982 (Puri) in view of U.S. patent 6,233,609 (Mittal).

Claim 27 requires “processing user data from the user input signals to determine if the user data is consistent data that is consistent with at least one of a plurality of products.” Puri does not teach determining if user-entered data is consistent with at least one of the products available for selection. In fact, Puri repeatedly states that it selects a product that “most nearly meets a customer’s needs.” (See Puri; column 1, lines 47-49; column 2, lines 31-32; and column 5, lines 28-30). Clearly, selecting a product that “nearly” meets a customer’s needs means that the selected product is somewhat inconsistent with the user data. Thus, the invention ensures that all customer data is consistent with the selected product, but Puri uses a best effort process that may select products that are somewhat inconsistent with user needs.

Claim 27 also requires:

“processing user screen selections from the user input signals;
transferring a selected one of the screen signals corresponding to a selected one of the screens if the selected one of the screens is backward in the sequence or if all previous ones of the screens in the sequence prior to the selected one of the screens have the consistent data; and
transferring to the user system over the communication network an earliest one of the screen signals corresponding to an earliest one of the screens in the sequence that does not have the consistent data if the selected one of the screens is forward in the sequence and if the previous ones of the screens in the sequence prior to the selected one of the screens do not all have the consistent data.”

Puri allows the user to jump around the screens as they see fit. (See Puri, column 4, lines 48-57). Puri does not teach controlling the forward movement within the screens

based on consistency between the user-entered data and at least one of the products. Puri does not teach providing the next screen in the sequence where the user data is becomes inconsistent with all of the products available for selection.

Puri allows the selection of inconsistent products, and Puri does not teach controlling the user movement through the screens based on the consistency of user-entered data with the available products.

Mittal describes a method to efficiently updating the GUI on the user system. Mittal does not describe controlling user movement through a sequence of screens based on the consistency of user-entered data with available products. In fact, Mittal gives the user complete control over the product ordering process. (See Mittal column 6, lines 32-38).

Mittal mentions that a configurator negates any conflict, such as delayed shipment, that may arise from client directives. Mittal does not disclose that such a conflict is an inconsistency between user inputs and the products that are available for selection. Mittal does **not** teach controlling the movement through the screens based on the consistency of user-entered data with the available products. For example, Mittal does not teach providing the next screen in the sequence where the user data is inconsistent with the products available for selection, even though the user requested a screen further along in the sequence.

The same reasoning applies to claims 1, 4, 5, 14, 17, 18, 30, and 31 (the rest of the claims in Group 1).

With respect to Group 2 (claims 2, 15, and 28), these claims require that consistent data for earlier screens in the sequence be provided along with the consistent data for the current screen in the screen signal for the display. Thus, all user-entered data from the current screen and from pervious screens is displayed to the user. Puri and Mittal do not describe providing user-entered data from multiple forms for a display. The final rejection does not provide any citation to Puri or Mittal for this claim limitation.

With respect to Group 3 (claims 3, 16, and 29), these claims require that the indication of user data selections that are inconsistent with the products. Puri and Mittal

do not indicate such inconsistent data to the user. The final rejection does not provide any citation to Puri or Mittal for this claim limitation.

Appendix

The claims under appeal follow below:

1. (Original) A software system for directing product selection over a communication network where a user system receives screen signals from the communication network and displays corresponding screens to a user, the user provides user inputs to the user system in response to the screens, the user system transfers corresponding user input signals over the communication network, and the screens are arranged in a sequence, the software system comprising:

user data software configured to direct a processing system to process user data from the user input signals to determine if the user data is consistent data that is consistent with at least one of a plurality of products;

screen control software configured to direct the processing system to process user screen selections from the user input signals, transfer a selected one of the screen signals corresponding to a selected one of the screens if the selected one of the screens is backward in the sequence or if all previous ones of the screens in the sequence prior to the selected one of the screens have the consistent data, and to transfer to the user system over the communication network an earliest one of the screen signals corresponding to an earliest one of the screens in the sequence that does not have the consistent data if the selected one of the screens is forward in the sequence and if the previous ones of the screens in the sequence prior to the selected one of the screens do not all have the consistent data; and

a storage system that stores the user data software and the screen control software.

2. (Original) The software system of claim 1 wherein the screen control software is configured to direct the processing system to include in the screen signals the consistent data for a current one of the screens corresponding to a current one of the screen signals being transferred and the consistent data for earlier ones of the screens in the sequence.

3. (Original) The software system of claim 1 wherein:

the user data software is configured to direct the processing system to remove from product selection consideration non-selectable ones of the products that are inconsistent with the consistent data; and

the screen control software is configured to direct the processing system to modify the screens signals to indicate user data selections that are inconsistent with selectable ones of the products that remain under product selection consideration.

4. (Original) The software system of claim 1 wherein the user data software is configured to direct the processing system to start with a pre-existing set of the consistent data.

5. (Original) The software system of claim 1 wherein the user data software is configured to direct the processing system to complete a purchase transaction for a selected one of the products.

6. (Original) The software system of claim 1 wherein the products comprise flow meters.

7. (Original) The software system of claim 1 wherein the products comprise Coriolis flow meters.

8. (Original) The software system of claim 1 wherein the products comprise densitometers.

9. (Original) The software system of claim 1 wherein the user data indicates a fluid name.

10. (Original) The software system of claim 1 wherein the user data indicates at least one of: fluid flow rate, fluid density, fluid viscosity, fluid pressure, and fluid temperature.

11. (Original) The software system of claim 1 wherein the user data indicates a flowmeter sensor type.

12. (Original) The software system of claim 1 wherein the user data indicates a flowmeter process connection type.

13. (Original) The software system of claim 1 wherein the user data indicates a flowmeter transmitter type.

14. (Original) A server system for directing product selection over a communication network where a user system receives screen signals from the communication network and displays corresponding screens to a user, the user provides user inputs to the user system in response to the screens, the user system transfers corresponding user input signals over the communication network, and the screens are arranged in a sequence, the server system comprising:

a network interface configured to transfer the screen signals to the communication network and to receive the user input signals from the communication network; and

a processing system configured to process user data from the user input signals to determine if the user data is consistent data that is consistent with at least one of a plurality of products, process user screen selections from the user input signals, transfer a selected one of the screen signals corresponding to a selected one of the screens if the selected one of the screens is backward in the sequence or if all previous ones of the screens in the sequence prior to the selected one of the screens have the consistent data, and to transfer to the user system over the communication network an earliest one of the screen signals corresponding to an earliest one of the screens in the sequence that does not have the consistent data if the selected one of the screens is forward in the sequence and if the previous ones of the screens in the sequence prior to the selected one of the screens do not all have the consistent data.

15. (Original) The server system of claim 14 wherein the processing system is configured to include in the screen signals the consistent data for a current one of the screens corresponding to a current one of the screen signals being transferred and the consistent data for earlier ones of the screens in the sequence.

16. (Original) The server system of claim 14 wherein the processing system is configured to remove from product selection consideration non-selectable ones of the products that are inconsistent with the consistent data, and modify the screens signals to indicate user data selections that are inconsistent with selectable ones of the products that remain under product selection consideration.

17. (Original) The server system of claim 14 wherein the processing system is configured to start with a pre-existing set of the consistent data.

18. (Original) The server system of claim 14 wherein the processing system is configured to complete a purchase transaction for a selected one of the products.

19. (Original) The server system of claim 14 wherein the products comprise flow meters.

20. (Original) The server system of claim 14 wherein the products comprise Coriolis flow meters.

21. (Original) The server system of claim 14 wherein the products comprise densitometers.
22. (Original) The server system of claim 14 wherein the user data indicates a fluid name.
23. (Original) The server system of claim 14 wherein the user data indicates at least one of: fluid flow rate, fluid density, fluid viscosity, fluid pressure, and fluid temperature.
24. (Original) The server system of claim 14 wherein the user data indicates a flowmeter sensor type.
25. (Original) The server system of claim 14 wherein the user data indicates a flowmeter process connection type.
26. (Original) The server system of claim 14 wherein the user data indicates a flowmeter transmitter type.

27. (Original) A method of operating a server system for directing product selection over a communication network where a user system receives screen signals from the communication network and displays corresponding screens to a user, the user provides user inputs to the user system in response to the screens, the user system transfers corresponding user input signals over the communication network, and the screens are arranged in a sequence, the method comprising:

processing user data from the user input signals to determine if the user data is consistent data that is consistent with at least one of a plurality of products;

processing user screen selections from the user input signals;

transferring a selected one of the screen signals corresponding to a selected one of the screens if the selected one of the screens is backward in the sequence or if all previous ones of the screens in the sequence prior to the selected one of the screens have the consistent data; and

transferring to the user system over the communication network an earliest one of the screen signals corresponding to an earliest one of the screens in the sequence that does not have the consistent data if the selected one of the screens is forward in the sequence and if the previous ones of the screens in the sequence prior to the selected one of the screens do not all have the consistent data.

28. (Original) The method of claim 27 further comprising including in the screen signals the consistent data for a current one of the screens corresponding to a current one of the screen signals being transferred and the consistent data for earlier ones of the screens in the sequence.

29. (Original) The method of claim 27 further comprising removing from product selection consideration non-selectable ones of the products that are inconsistent with the consistent data, and modifying the screens signals to indicate user data selections that are inconsistent with selectable ones of the products that remain under product selection consideration.

30. (Original) The method of claim 27 further comprising starting the method with a pre-existing set of the consistent data.

31. (Original) The method of claim 27 further comprising completing a purchase transaction for a selected one of the products.

32. (Original) The method of claim 27 wherein the products comprise flow meters.

33. (Original) The method of claim 27 wherein the products comprise Coriolis flow meters.

34. (Original) The method of claim 27 wherein the products comprise densitometers.

35. (Original) The method of claim 27 wherein the user data indicates a fluid name.

36. (Original) The method of claim 27 wherein the user data indicates at least one of:
fluid flow rate, fluid density, fluid viscosity, fluid pressure, and fluid temperature.

37. (Original) The method of claim 27 wherein the user data indicates a flowmeter sensor
type.

38. (Original) The method of claim 27 wherein the user data indicates a flowmeter
process connection type.

39. (Original) The method of claim 27 wherein the user data indicates a flowmeter
transmitter type.



SIGNATURE OF PRACTITIONER

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